

The aim of this thesis named „Civil procedure and domestic violence“ is to provide an overview of means of civil procedure which lead to protection against this form of violence. Domestic violence is a current topic which deserves a lot of attention. Very often it is unnoticeable and hard to uncover because it happens in privacy. This is why it is necessary not to interrupt efforts to reach the highest protection of endangered persons. Procedural law offers several ways how to reach protection against domestic violence. In this thesis, I define these means of civil procedure, consider their usefulness and indicate their strong or weak points. The thesis gives a detailed description of preliminary injunctions. This procedural means provides victim with almost immediate help and time to make steps in order to settle the situation down. The preliminary injunctions are based on the aspect of surprise, because the violent person does not expect it. However, attention must be paid so that the interference with the rights of violent person is not unproportional.

The thesis is divided into five parts. The first part is an introduction which presents purposes and goals of this thesis. The second part introduces a general presentation of the issues of civil procedure and domestic violence. It attempts to define domestic violence and its characteristic features and typology. As the procedural law is reflection of substantive law, relevant provision in Civil Code are not omitted. The second part also deals with role of judiciary and its function in protection of rights injured by domestic violence. In the end, particular means of civil procedure leading to protection against domestic violence are introduced.

The third part focuses on these specific means of civil procedure. The most extensive and detailed is the first chapter which deals with preliminary injunctions. Since the 1st of January 2014, these have been incorporated into Act No. 292/2013 Coll. In my opinion, preliminary injunctions are the most efficient means of protection as they provide victims with a very fast help. In this chapter, particular provisions are analyzed in detail and put in the mutual context. In the end I evaluate this new legislation and point out its positives and negatives. I also suggest solution to these negatives and present my general view of this legislation.

The second chapter is focused on personality protection. It is obvious that acts of violence cause unwarranted interference into person's dignity, health, respect, honour or privacy, i.e. harm to person's natural rights. In the third chapter, possibilities of mediation in cases of domestic violence are stated. Even though it seems that equal negotiation between the

violent person and the endangered person is not possible, there are many arguments leading to the opposite conclusion.

The fourth chapter is focused on international and supranational activities concerning domestic violence. Several significant acts passed by respective authorities are mentioned. It is not surprising that a lot of these acts are concentrated on violence against women. The last part of thesis is the conclusion which summarize the issue of civil procedure and domestic violence. It brings recapitulation of previous findings and puts forward questions which may be necessary to answer in the near future.